

**PHARMACY EXAMINING BOARD  
MEETING MINUTES  
NOVEMBER 3, 2016**

**PRESENT:** Grace Degner, Franklin LaDien, Terry Maves, Thaddeus Schumacher, Kristi Sullivan, Philip Trapskin, Cathy Winters

**STAFF:** Dan Williams – Executive Director, Sharon Henes – Administrative Rules Coordinator, Nifty Lynn Dio – Bureau Assistant, and other Department staff

**CALL TO ORDER**

Thaddeus Schumacher, Chair, called the meeting to order at 10:37 a.m. A quorum of seven (7) members was confirmed.

**ADOPTION OF AGENDA**

**MOTION:** Philip Trapskin moved, seconded by Franklin LaDien, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF SEPTEMBER 22, 2016**

**MOTION:** Philip Trapskin moved, seconded by Kristi Sullivan, to approve the minutes of September 22, 2016 as published. Motion carried unanimously.

**ADMINISTRATIVE UPDATES**

**Possible Change to the January 19, 2017 Board Meeting Date**

**MOTION:** Terry Maves moved, seconded by Franklin LaDien, to change the January 19, 2017 meeting date to January 17, 2017. Motion carried unanimously.

**PILOT PROGRAM MATTERS**

**List of Requests for Pilot Program Approval**

**MOTION:** Cathy Winters moved, seconded by Kristi Sullivan, to acknowledge the recommendation of DSPS staff to approve the application of the following Pilot Programs:

1. Institution Tech-Check-Tech Pilot Program
  - a. Stockbridge-Munsee Health and Wellness – Bowler
  - b. St. Clare's Hospital – Weston
2. Pharmacy Technician Ratio Pilot Program
  - a. Stockbridge-Munsee Health and Wellness – Bowler
  - b. UW Madison Scholl of Pharmacy - Madison
3. Automated Technology Final Check Pilot Program
  - a. Stockbridge-Munsee Health and Wellness – Bowler

Motion carried unanimously.

**CLOSED SESSION**

**MOTION:** Cathy Winters moved, seconded by Terry Maves, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). The Chair read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Grace Degner-yes; Franklin LaDien-yes; Terry Maves-yes; Thaddeus Schumacher-yes; Kristi Sullivan-yes; Philip Trapskin-yes; Cathy Winters-yes. Motion carried unanimously.

*At this time, all external communication contacts will be terminated for purposes of going into Closed Session.*

The Board convened into Closed Session at 11:53 a.m.

**RECONVENE TO OPEN SESSION**

**MOTION:** Franklin LaDien moved, seconded by Terry Maves, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 2:44 p.m.

**VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION**

**MOTION:** Kristi Sullivan moved, seconded by Terry Maves, to affirm all motions made in closed session. Motion carried unanimously.

**DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS**

**Administrative Warning(s)**

***16 PHM 003 – B.R.O.***

**MOTION:** Philip Trapskin moved, seconded by Kristi Sullivan, to issue an Administrative Warning in the matter of 16 PHM 003 (B.R.O.). Motion carried unanimously.

*(Thaddeus Schumacher recused himself and left the room for deliberation and voting in the matter of DLSC Case No. 16 PHM 003 against B.R.O.)*

***15 PHM 169 – Brad R. Spross***

**MOTION:** Terry Maves moved, seconded by Franklin LaDien, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Brad R. Spross, DLSC case number 15 PHM 169. Motion carried unanimously.

***16 PHM 078 – Christopher M. Kachel, R.Ph.***

**MOTION:** Philip Trapskin moved, seconded by Franklin LaDien, to reject the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Christopher M. Kachel, R.Ph., DLSC case number 16 PHM 078. The Board directs the case advisor to work with DLSC to change the terms of the Order as discussed by the Board.  
Motion carried unanimously.

**Case Closings**

**MOTION:** Kristi Sullivan moved, seconded by Franklin LaDien, to close the DLSC cases for the reasons outlined below:

1. 15 PHM 063 (R.D.) – Prosecutorial Discretion (P2)
2. 15 PHM 126 (R.H. and W.P.) – Insufficient Evidence
3. 15 PHM 210 (M.P.C. and T.R.) – Insufficient Evidence
4. 16 PHM 029 (V.P.C. and J.D.) – Insufficient Evidence
5. 16 PHM 030 (Y.O.P. and J.J.) – Insufficient Evidence
6. 16 PHM 031 (M.C.R. and D.Z.) – Insufficient Evidence
7. 16 PHM 032 (P.R.N. and M.K.) – Insufficient Evidence

Motion carried unanimously.

**MOTION:** Terry Maves moved, seconded by Kristi Sullivan, to request DLSC to forward the physician in Case No. 15 PHM 063 to the Medical Examining Board Screening Panel. Motion carried unanimously.

**Monitoring**

***Allan Mailloux, R.Ph. – Requesting Full Licensure***

**MOTION:** Philip Trapskin moved, seconded by Kristi Sullivan, to grant the request of Allan Mailloux, R.Ph. for full licensure. Motion carried unanimously.

***Ryan J. Nelson, R.Ph. – Requesting Full Licensure***

**MOTION:** Terry Maves moved, seconded by Philip Trapskin, to grant the request of Ryan J. Nelson, R.Ph. for full licensure. Motion carried unanimously.

**DELIBERATION ON CREDENTIALING MATTERS**

**Application Review**

***Chad Ronnebaum – Pharmacist Application***

**MOTION:** Franklin LaDien moved, seconded by Kristi Sullivan, to record that the Board has reviewed the prior discipline of Chad Ronnenbaum and finds it is not a bar to licensure. The Board approves the Pharmacist application for licensure of Chad Ronnebaum, once all requirements are met Motion carried unanimously.

***Thomas Welke – Pharmacist Renewal Application***

**MOTION:** Philip Trapskin moved, seconded by Kristi Sullivan, to record that the Board has reviewed the criminal background of Thomas Welke and finds it is not a bar to licensure renewal. The Board approves the Pharmacist Renewal application of Thomas Welke, once all requirements are met. Motion carried unanimously.

*(Franklin LaDien and Terry Maves recused themselves and left the room for deliberation and voting in the matter of the application of Thomas Welke)*

**CONSULT WITH LEGAL COUNSEL**

**15CV94 Pufall v. Wisconsin Pharmacy Examining Board**

**MOTION:** Philip Trapskin moved, seconded by Kristi Sullivan, to request the Executive Director and Board Chair work to maintain a summary document of Board Motions to assist the Board. Motion carried unanimously.

**MOTION:** Kristi Sullivan moved, seconded by Terry Maves, to record that the Board strenuously disagrees with the Court Decision in Ashland County case 2015CV94, Pufall v. Wisconsin Pharmacy Examining Board, that the applicant meets the requirements for Pharmacist Licensure in the State of Wisconsin. However, the Board recognizes and respects the authority of the court, and will comply with the Court Order dated August 10, 2016. Motion carried unanimously.

**MOTION:** Philip Trapskin moved, seconded by Franklin LaDien, to record that the Board concurs with the Department's current process of having the Board Legal Counsel represent the Board in credentialing denial proceedings. Motion carried unanimously.

**ADJOURNMENT**

**MOTION:** Franklin LaDien moved, seconded by Kristi Sullivan, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 3:02 p.m.